

Prob12B  
(7/93)

**United States District Court  
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

**Name of Offender:** Joel Polanco

**Case Number:** 10-CR-40007

**Name of Sentencing Judicial Officer:** Honorable F. Dennis Saylor, IV, Chief U.S. District Judge

**Date of Original Sentence:** July 22, 2011

**Original Offense:** Felon in Possession of Ammunition, in violation of 18 U.S.C. § 922(g)(1);  
Distribution of Cocaine Base, in violation of 21 U.S.C. § 841(a)(1)

**Original Sentence:** 120 Months of Custody followed by 36 Months of Supervised Release

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** August 30, 2019

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for    years, for a total term of    years  
☒ To modify the conditions of supervision as follows:

**CAUSE**

**The defendant shall abide by a curfew, subject to GPS monitoring, from 9:00 pm to 6:00 am for a period of 60 days. The defendant shall pay for the costs of the program.**

According to Boston Police Department Report #202057951, at about 2:39am on Thursday, August 13, 2020, officers stopped Joel Polanco and Lony Sanders at the intersection of Massachusetts Avenue and Melnea Cass Blvd. Both parties were observed conducting what was believed to be street level drug transactions. Mr. Sanders was placed under arrest for 4 outstanding warrants as well as new 94C drug charges. Officers searched Mr. Polanco and located a considerable amount of cash, mostly in \$20 denominations, but no drugs were discovered on him. Mr. Polanco informed officers that he worked “under the table” and was recently paid. Officers returned Mr. Polanco’s money and property and he was released from the scene without incident. Mr. Sanders was also searched, and officers removed multiple plastic bags of a brown powdery substance believed to be Fentanyl and multiple plastic bags of white rock substance believed to be crack cocaine. Additionally, Mr. Sanders had \$866.00 U.S. currency packaged and folded in multiple pockets consistent with street level drug dealing.

On August 17, 2020, the probation office confronted Mr. Polanco about his unreported law enforcement contact on August 13, 2020. Mr. Polanco stated that he thought he didn’t need to inform the probation office of his interaction with Boston Police because they did not “run” his name. Mr. Polanco initially reported that he was in the area of Massachusetts Avenue and Melnea Cass Blvd. because he and his girlfriend took her son to the hospital because he was having a problem with his left ankle and that he went outside the hospital to smoke a cigarette. Mr. Polanco reported that he saw “Alex” (individual identified in the Boston Police report as Lony Sanders) and said “hello.” The probation office asked Mr. Polanco to produce hospital paperwork proving that he took his girlfriend’s son to the hospital. At this time, Mr. Polanco changed his story and informed the probation office that he got into an argument with his girlfriend and he left the house. The probation office asked Mr. Polanco about the cash he had on him and he reported that his mother had sent him money via Western Union.

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The probation office questioned Mr. Polanco about the inconsistencies in what he was telling the probation office compared to the details in the Boston Police report. In addition, when confronted about why he was in that area of the city at the time of the night, Mr. Polanco lied about the reason, but later recanted and provided another reason. Due to Mr. Polanco's untruthfulness surrounding this incident and a previously reported incident that the Court was made aware of, the probation office respectfully requests to modify Mr. Polanco's conditions to ensure interventions are in place to effectively supervise Mr. Polanco.

On August 21, 2020, Mr. Polanco agreed to the modification and signed a Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised Release. The Form 49 has been attached for the Court's review. If Your Honor concurs with our recommendation, please affix your signature below.

Reviewed/Approved by:

*/s/ Jeffrey R. Smith*  
Jeffrey R. Smith  
Supervisory U.S. Probation Officer

Respectfully submitted,

*/s/ Jason Nelson*  
by Jason Nelson  
U.S. Probation Officer  
Date: 8/21/2020

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

*/s/ F. Dennis Saylor IV*

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The Honorable F. Dennis Saylor, IV  
Chief U.S. District Judge

8/24/2020

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Date

PROB 49  
(3/89)

## United States District Court

For the District of Massachusetts

### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I, Joel Polanco, Dkt No 0101 4:10CR40007-001, have been advised and understand that I do not have to agree to this proposed modification(s). I have been advised and understand that instead of signing this form today, I can consult with an attorney and report back to the Probation Office within 48 hours as to how I would like to proceed.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

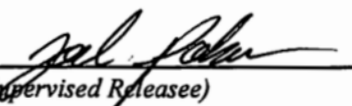
**The defendant shall abide by a curfew, subject to GPS monitoring, from 9:00 pm to 6:00 am for a period of 60 days. The defendant shall pay for the costs of the program.**

Witness

Jason Nelson /

  
(U.S. Probation Officer)

Signed Joel Polanco /

  
(Supervised Releasee)

8/21/2020

(Date)